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10 LUXE INTERNATIONAL INC., LUSSORI, INC.
and VIALUXE INC.

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN JOSE DIVISION

15 LUXE INTERNATIONAL INC., a Delaware
16 corporation; LUSSORI, INC., a Delaware
17 corporation; and VIALUXE INC., a Delaware
corporation,

CASE NO. 08-CV-02241 JF

STIPULATION TO DISMISS COMPLAINT
AND COUNTERCLAIMS

18 Plaintiffs,

19 v.

20 JOHN MADSEN, an individual, and Does 1
through 10,

21 Defendants.

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1 Plaintiffs Luxe International Inc., Lussori, Inc. and Vialuxe Inc. hereby request
2 that the Court dismiss their Complaint.

3 Defendant John Madsen hereby requests that the Court dismiss his Counterclaims.

4 Dated: September 24, 2008

LATHAM & WATKINS LLP

5 By: Jenifer L. Barry
6 Jenifer L. Barry
7 Attorneys for Plaintiffs
8 LUXE INTERNATIONAL INC.,
9 LUSSORI, INC. and VIALUXE INC.

10 Dated: September 23, 2008

11 John R. Madsen
12 John Madsen
13 3223 Donner Way, #2B
14 Sacramento, CA 95817
15 (916) 627-8299
16 Johnmadsen37@hotmail.com

CERTIFICATE OF SERVICE

I hereby certify that on September 24, 2008, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System.

I further certify that on this same date, I caused to be sent via email the attached document to the Chambers of the Honorable Jeremy Fogel, at the following address:

JFpo@cand.uscourts.gov

I further certify that on September 25, 2008, I will cause to be sent via regular mail the attached document to:

John Madsen
3223 Donner Way, #2B
Sacramento, CA 95817

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on September 24, 2008.

/s/ Jennifer L. Barry
Jennifer L. Barry

EXHIBIT A

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

LUXE INTERNATIONAL INC., a Delaware corporation; LUSSORI, INC., a Delaware corporation; and VIALUXE INC., a Delaware corporation,

Plaintiffs,

v.

JOHN MADSEN, an individual, and Does 1 through 10,

Defendants.

CASE NO. 08-CV-02241 JF

ORDER DISMISSING COMPLAINT AND
COUNTERCLAIMS

IT IS HEREBY ORDERED, pursuant to the parties' stipulation filed on

September 24, 2008, that Plaintiffs' Complaint and Defendant's Counterclaims are DISMISSED.

IT IS SO ORDERED.

Dated: 9/26/08



U.S. DISTRICT COURT JUDGE